



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

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September 21, 1990

Mine Site

Mr. Earl C. Tingey
Assistant Chief Counsel
BP Minerals America
10 East South Temple
P. O. Box 11248
Salt Lake City, Utah 84147

Dear Mr. Tingey:

Re: Reclamation Contract, Barney's Canyon Mine, M/035/009, Salt Lake County, Utah

I am responding to your letter of March 28, 1989 concerning changes in Reclamation Contracts utilized by the Division of Oil, Gas and Mining for minerals mining reclamation operations, and your desire to not utilize the new forms. The Board of Oil, Gas and Mining is the entity responsible for approval of the form and amount of sureties for mined land reclamation, and as such has suggested a modification of the form of the attendant Reclamation Contracts. As modified, these forms are in the opinion of the Board, a better contractual document than the 1988 version referenced in your letter, and the Board of Oil, Gas and Mining is requiring their completion by all mining operators.

I believe that the new form does not limit options for modification of the form or amount of surety, nor does it preclude modification of the Mine Plan or the Notice of Intent. Rules governing revisions and amendments to Large Mining Operations are R613-004-118 and 119, respectively. I do not believe that modification of the forms has increased the operator's liability beyond that currently required by the Act. I welcome the opportunity to discuss your concerns should you so desire. If the above is satisfactory with respect to concerns noted in your March 1989 letter, please advise Mr. R. J. Ramsey of Kennecott Corporation, as he presently has the latest copy of the Reclamation Contract in his file.

Sincerely,

Gregory P. Williams
Chairman, Board of Oil, Gas and Mining

vb

cc: D. Nielson

L. Braxton

W. Hedberg

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